

REMARKS

Status of the Claims

Pending Claims

Claims 14-27 and 30-33 are pending. Claims 28 and 29 have been withdrawn.

Claims amended in the instant amendment

In the instant response, Applicants submit that claim 14 has been amended to more particularly describe the claimed invention and does not change the scope of the claims. Claim 14 describes an aircraft roller wherein the roller consists essentially of a body and the body consists essentially of a polymer. Support for the amendment can be found in the claims and throughout the Specification and the Figures, for example Figures 1 and 2, which depict a roller which is cylindrical and made essentially of polymer.

Applicants respectfully request entry of the amendments set forth in this response under 37 CFR section 1.116. The amendments place the case in condition for allowance and place the case in better condition for appeal; the amendments do not raise any issues of new matter; and the amended claims do not present new issue requiring further consideration or search.

Telephonic Interview of Nov. 5, 2008

Applicants thank the Examiner and his Supervisor for conducting the interview. Claim 14 and the Thompson reference of record were discussed. The Examiners suggested that claim 14 be amended to overcome their objection and that this be done in a formal response.

Applicants have taken their suggestion and filed the instant response. Applicants submit that no substantial changes were made to claim 14 as it merely puts into the body

of the claim the roller that was is in the preamble of the claim and that is the subject of the present invention.

Drawings

Applicants acknowledge with thanks that the drawings were accepted.

Specification

Applicants have amended the specification to include a section entitled "Brief Description of the Drawings." Support for this section can be found in the detailed description on page 4, line 16 to page 10, line 7, and Figures 1-6. No new matter has been introduced by this amendment.

Rejection under 35 USC 102

Claims 14-16, 18-25, 27, and 30-32 remain rejected under 35 USC 102(b) for allegedly being anticipated by Thompson et al. (US 4,203,509).

Applicants have amended claim 14 so that the claim is directed toward a roller that is essentially a cylindrical body that is made essentially of polymer. As stated in other papers provided by Applicants (e.g., June 30, 2008 response by Applicants), Thompson does not teach a roller made essentially of polymer.

The Thompson roller is not just the nylon tire 17. The Thompson roller also includes the aluminum shell (10) and the flanges (15) of the same material. (See Figs. 1-4 of Thompson). Applicants respectfully point out that 17 refers only to the tire portion of the roller. See, e.g., Figures 1-4; column 2, lines 13, 16, 25, 33, 47, 48; and column 3, line 6, 11. Thompson does not teach (nor does it suggest) that the nylon tire is the roller.

In fact, in order to overcome the prior art roller of tubular aluminum shell with nylon molding, see column 1, lines 19-25, (light but not durable) and the prior art roller of solid aluminum (durable but heavy), Thompson came up with flanges to be used with a

roller of aluminum shell with nylon molding. Thompson does not teach the use of a roller made essentially of a polymer.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of the claims based upon Thompson under 35 USC 102.

Rejection under 35 USC 103

Claims 17, 26, and 33 are rejected under 35 USC 103 for allegedly being unpatentable over Thompson. Applicants respectfully disagree.

Claims 17, 26, and 33 depend from claim 14 and, therefore, incorporate all the limitations of claim 14. Accordingly, claims 17, 26, and 33 are all directed to a roller made essentially of a polymer.

Thompson does not teach, suggest or motivate one of skill in the art to construct a roller made essentially of a polymer. As stated in the previous section, no where in Thompson is there a teaching of a roller made of polymer. The roller of Thompson is more than just the nylon piece 17. No where in Thompson is there a teaching or suggestion that a roller can be made of a polymer. Just because a component of the Thompson roller is made of polymer does not mean that it teaches or suggests that an entire roller could/should be constructed of polymer.

Moreover, Thompson teaches away from a roller made essentially of a polymer as it describes a prior art roller with a nylon tire that even with an aluminum shell and radial bearings is not able to withstand abusive loads of service in the air cargo industry, leading to premature failure (column 1, lines 19-25). There is no suggestion nor is there any motivation found in Thompson that would lead one to think that a roller of nylon or any polymer (without the aluminum shell and flange) could be made to withstand the rigors of cargo loading in the airline industry.

As Thompson does not teach, suggest or motivate one of skill in the art to practice Applicants' invention, Applicants respectfully request reconsideration and withdrawal of the rejection to the claims based upon Thompson under 35 USC 103.

Withdrawn claims 28 and 29

Applicants submit that claim 14 and dependent claims 15-27, and 30-33 are patentable. In light of this, claims 28 and 29 which also depend from and incorporate all the limitations of claim 14, are patentable as well. Therefore, Applicants request that withdrawn claims 28 and 29 be found allowable as well.

CONCLUSION

Applicants respectfully request consideration of the claim amendment as it merely brings into the body of the claim that which was in the preamble and that which has been the subject matter of the invention throughout the prosecution of this application, namely a roller. Should the Examiner have any questions regarding this communication, the Examiner is urged to call the undersigned attorney at 781 285 3052.



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